

**FILED**  
**OCT 21 2009**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TANYA LEWIS,

Plaintiff,

v.

WAL-MART STORES, INC., a Delaware  
corporation,

Defendant.

Civil Case No. 08-410-ST

**ORDER**

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KING, Judge:

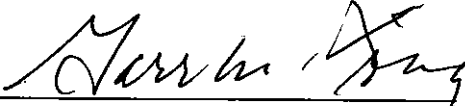
The Honorable Janice Stewart, United States Magistrate Judge, filed Findings and Recommendation on August 20, 2009. Wal-Mart filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Stewart.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Stewart dated August 20, 2009 in its entirety.

IT IS HEREBY ORDERED that Wal-Mart's motion for summary judgment (#36) is DENIED.

DATED this 20<sup>th</sup> day of October, 2009.

  
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GARR M. KING  
United States District Judge